

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

PATENT  
129159

Applicant: David Henry Gurr et al.	:	
	:	Art Unit: 3737
Serial No.: 10/613,580	:	
	:	Examiner: Kish, James M.
Filed: July 02, 2003	:	
	:	
For: SYSTEMS AND METHODS FOR PHASE	:	
ENCODE PLACEMENT	:	

**COMMENTS ON STATEMENT OF REASONS FOR ALLOWANCE**

Mail Stop Issue Fee  
Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313

The following comments are in response to the Examiner's Statement of Reasons for Allowance in the Notice of Allowability dated June 01, 2009.

Applicants respectfully disagree with the Examiner's Statement of Reasons for Allowance because such statements may have unintentionally introduced some ambiguities in what was otherwise a very concise and thorough examination of the claims of this patent application. While Applicants believe that the claims are allowable, Applicants do not acquiesce that patentability resides in the features paraphrased in the Examiner's Statement of Reasons for Allowance.

Also, reasons for allowance are only warranted in instances in which the record of the prosecution as a whole does not make clear the Examiner's reasons for allowing a claim or claims (see 37 CFR §1.104(e)). In the present patent application, Applicants believe the record as a whole makes the reasons for allowance clear and therefore no statement by the Examiner is necessary or warranted.

Respectfully submitted,

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